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Name of Registered Representative:

John C. Freeman

John C. Freeman, Reg. No. 34,483

January 26, 2004

Date of Signature

PATENT  
CASE NO. 56/327

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
Dieter Michel et al. )  
) Group Art Unit: 2877  
Serial No.: 09/365,118 )  
) Examiner: Natividad, Philip Sana  
Filed: July 30, 1999 )  
)  
For: ROTARY POSITION )  
MEASURING SYSTEM )

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed on September 25, 2003. This Amendment was not earlier presented because it responds to clarification of the rejections of claims 1-12, 14-16 and 18-20 and the indication that claims 13 and 17 contain allowable subject matter. Applicant is filing the current Amendment in order to further point out the impropriety of the rejection and to place claims 13-15 and 17 in allowable form. Accordingly, the issues for Appeal have been reduced. In addition, it is not believed that the present Amendment will

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require a new search to be made on the part of the Examiner. Accordingly, please amend claims 13 and 17 as follows: